

**WOODS CROSS CITY COUNCIL MEETING  
MARCH 17, 2015**

The minutes of the Woods Cross City Council Meeting held March 17, 2015 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

**CONDUCTING:**

Mayor Rick Earnshaw

**COUNCIL MEMBERS PRESENT:**

Rick Earnshaw, Mayor  
Tamra Dayley  
Jill Evans

David C. Hill  
James Sheldon  
Ryan Westergard

\*David C. Hill left the meeting as noted in these minutes

**STAFF PRESENT:**

Gary Uresk, City Administrator  
Jessica Sims, City Recorder  
Chief Greg Butler

**VISITORS:**

Bob Goudy  
Patt Hutsell  
LeGrande Blackley  
Bryan Millard  
Jerry Dunn  
James Tate  
Manuel Becerril  
Lisa Sharp  
Constance Harding  
Cameron Sandoval  
Brianna Forbes

Carson Goudy  
Mark Bello  
Sally Corents  
Trevor Millard  
Tina Stevenson  
Jessie Marker  
Cynthia Slack  
Katie Bello  
Rachel Richins  
Candi Forbes  
Curtis Koch

Isaiah Ford  
Jonathan Bello  
Johnny River  
Mike Hess  
Kathleen Taylor  
Robert Marker  
Joseph Slack  
Charlene Tschaggeny  
Alene Cook  
Mollie Forbes

**INVOCATION:**

Carson Clark

**PLEDGE OF ALLEGIANCE:**

Isaiah Ford

**APPROVAL OF MINUTES**

The City Council reviewed the minutes of the City Council meeting held March 3, 2015. After their review Council Member Evans motioned the minutes be approved as written with Council Member Sheldon seconding the motion and all voted for the motion through a roll vote.

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**REVIEW OF FINANCIAL REPORT**

The City Council reviewed the City's Financial Report. The City Council reviewed the City's cash position, sales and use tax report, the transient room tax report, report of the impact fees collected for South Davis Metro Fire Agency, Energy Tax Collection report and an executive summary of the City's funds, comparing revenues and expenditures to the budget.

**APPROVAL OF CASH DISBURSEMENTS**

The floor was given to the City Recorder who reviewed the cash disbursements listing with the Council which had been approved through email for the period February 21-March 6, 2015. Council Member Evans made a motion to ratify the cash disbursements as presented with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

**OPEN SESSION (BRIEF ITEMS)**

The Mayor opened the meeting to items from those present that they would like to bring before the City Council that would take less than two or three minutes.

Ms. Kathleen Taylor, a resident of the Westwood Mobile Home Park and acting as spokesperson for some of the residents there, came before the City Council. She said they are having problems with Ms. Dixie Weeks and explained some of the things Ms. Weeks was doing to her and her family, as well as other residents within the mobile home park. Ms. Taylor said she has gone as far as getting a stalking injunction against Ms. Weeks, but she is still causing difficulties in the neighborhood. Ms. Taylor said they need some help and that is why they were coming before the City Council tonight.

The Mayor gave some time to the Police Chief. Chief Butler said he didn't know if this was the appropriate venue to discuss the problem. He did say he was aware of the problem and there were some legal issues pending but he didn't feel like he wanted to discuss it in this venue. The Chief said the matter was in front of the city prosecutors and would be going through the court system. He did say everyone has rights and the matter does need to go through proper channels.

The Council asked what legal action had been taken and Ms. Taylor said they have gone as far as getting a stalking injunction against Ms. Weeks because of some of the things she has done towards her and her husband.

Chief Butler encouraged everyone in attendance at the meeting to let the matter go through the court system to see if it can be resolved.

Mr. Manuel Becerril living at 1227 Governor Way said he lives across the street from Ms. Weeks and he said she is also filming him and taking pictures of him every day. He said he was wondering how long this will go on.

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The Mayor also noted the matter is in court and we will leave it up to the judge for the ruling.

Council Member Hill said he was sympathetic to what the neighbors are dealing with. He said the problem is that legally the City Council cannot do anything regarding this matter and unfortunately it has to go through the courts. He asked if the HOA for the mobile home park had tried to do anything in regards to the problem.

Ms. Alene Cook said she is on the HOA association board and there isn't anything the board can do. She said they have CC&R's but there is nothing in the rules that deals with this type of harassment. She also said they have consulted with an attorney who has sent letters to Ms. Weeks and it has done nothing to help the situation

The City Administrator suggested that one or two people be chosen to represent the group and he would have a meeting with them and with the Police Chief. He said he would like to discuss more of the details and see what they all can come up with as a possible solution to the problem.

The Mayor said he appreciated the group coming in and letting them know what the situation is.

The City Administrator said he will get back with City Council on how things are proceeding.

Council Member Hill then mentioned there is a pile of trash behind the old McDonald's building and would like to have the Code Enforcement Officer look into it and see what it is and if it can be removed.

**POLICE DEPARTMENT REPORT**

The Mayor gave the floor to the Police Chief and he went over the following information with the City Council:

**DISPATCHED CALLS**

2015	2014
• Jan.—1169—223	Jan—748
• Feb---1030—142	Feb—662
• March	March—761
• April	April—838
• May	May—956
• June	June—763
• July	July—802
• Aug	Aug—777
• Sept	Sept—803
• Oct	Oct—734
• Nov	Nov—946

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- Dec

Dec—873

**YEARLY TOTALS**

- 2014—9495
- 2013—8979
- 2012—7347
- 2011—6918
- 2010—7167

**ACTIVITY REPORT**

- Hosted Lethality Meeting (LAP)
- Staff Attended Alcohol Task Force Meeting
- Staff Attended Dispatch Users Meeting
- Intelligence Commander Training
- Staff Attended Identity Theft Training
- Staff Attended Citizen Corps Meeting
- Staff Attended County Wide Trainers Meeting
- Staff Attended Utah Govt Trust Management Training
  
- Testified at Capitol on behalf of LAP
- CART Team Callout
- Spot Facebook Page
- Staff Taught Internet Safety at Woods Cross Elementary'
- Parole Checks with AP&P
- Officer Dereta tied the knot (Heather)

**USE OF FORCE REVIEWS**

- ACT drunk male causing disturbance at park
- ACT fleeing under age consumption suspect

**SWAT TEAM ACTIVITY**

- Sniper Training
- Two Team Trainings
- One Swat callout

**LETTERS FROM PUBLIC**

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Received several letters from the public complimenting officers on their presence at Woods Cross High school and Odyssey school and for the good job they are doing.

**UTAH TRUCK INSPECTOR PROGRAM**

- Two shifts worked
- 3 truck inspections
- 3 trucks put out of service for safety issues
- 14 citations

**WOODS CROSS SCHOOL ACTIVITIES**

- Two students suspended for bullying
- One traffic accident
- One cell phone theft (solved)
- SRO teaching DARE at both elementary schools

**NEIGHBORHOOD WATCH ACTIVITY**

- NHW Meeting Mountain View Estates
- Neighborhood block party May 30<sup>th</sup> Mountain View Estates

**K-9 ACTIVITY**

- Two drug search finds, one vehicle one residence

**LPR HIGHLIGHTS**

- None to report this month

**DETECTIVE CASE LOAD**

- 30 active cases
- 5 cases in screening
- 3 new DCFS cases
- Detective Lundquist assisted patrol in the service of two search warrants resulting in the recovery of a stolen vehicle and at least two U Haul trailers. We are still working on charges against the suspect in the case. Investigations is also assisting in the cold case disappearance of Theresa Greaves in conjunction with the Davis County Sheriff's Office and Sgt. Osoro.

The Mayor and Council thanked the Police Chief for his report and the good work the police department is doing for the city.

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**CONSIDERATION TO APPROVE AN AGREEMENT WITH DAVIS COUNTY TO PROVIDE ELECTION SERVICES FOR THE 2015 MUNICIPAL ELECTIONS**

The Mayor reviewed the following information with the City Council:

“The Council needs to make a decision whether to go with a traditional machine election or a hybrid mail in election where the ballots are mailed out as well as we have one point in the City where people can vote on election day.

“Given to the Council are the expense estimates I handed out at Council meeting showing the costs of the traditional election at \$3,772.70 and the cost of the mail in election at \$6,483. With the passage of HB 321 the cost of the mail in election had been reduced by \$669 since we are no longer required to provide return postage. Assuming that we would have a primary election, the mail in election would be \$12,966.30 and the traditional election would be \$7,546. I have also given to the Council a report that was put together by Davis County regarding the vote by mail hybrid elections. The report includes a survey of people’s perception of mail in elections.

“Curtis Koch, County Clerk, from the Davis County Election Office, will be at the meeting to answer any questions you may have. A decision needs to be made prior to April 1<sup>st</sup> whether we want to go with the mail in election or the traditional election.

“One thing that may offset the cost of the election is that the Davis County School District may possibly have a bond election. If they do, they will cover one half of the election cost which would then defray our costs by either a half or a quarter depending on whether we have a primary election.”

Mr. Curtis Koch was at tonight’s meeting and answered questions the Council had regarding this matter.

After the discussion Council Member Evans made a motion to approve an Agreement with Davis County to provide election services for the 2015 municipal elections. Council Member Westergard seconded the motion and all voted for the motion through a roll call vote, except Council Member Dayley who voted opposed because she felt they did not have accurate costs regarding the mail in voting. The motion carried by a vote of 5 to 1.

Council Member Hill was excused from the meeting at this point.

**CONSIDERATION TO ADOPT A RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE TO UPDATE WATER, STORM WATER AND PARK IMPACT FEES AND TO ADJUST THE WATER DEPOSIT, WATER METER INSTALLATION AND SIGN FEES**

The Mayor gave the floor to the City Administrator who then went over the following clarifications regarding the consolidated fee schedule information with the Council:

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“In December the Council approved an ordinance updating the impact fees. The ordinance delayed the implementation of the impact fees for 90 days per state law. The 90 days has elapsed and this amendment to the Consolidated Fee Schedule implements those updated impact fees. Given to the Council is a copy of the impact fee schedule from the ordinance adopted so you can compare it to the proposed changes to the consolidated fee schedule.

“We are proposing to adjust the water deposit fee. Currently there is a schedule for multi-family dwellings, which we would like to simplify by setting the water deposit for multi-family dwellings at \$50.00 per unit. We are also changing the non-residential deposits to two times the monthly minimum rate.

“We are proposing to adjust the ¾”, 1”, and 1 1/2” meter costs from \$205.00, \$285.00, and \$525.00 to \$255, \$295.00, and \$575.00 respectively to better reflect our costs of installation.

“We are proposing to increase our cost of installing traffic control signs and the combination identification/traffic control signs from \$150.00 and \$225.00 to \$170.00 and \$270.00 respectively to better reflect our cost of installation.”

After the review by the City Administrator, Council Member Sheldon made a motion to adopt Resolution 2015-589, a resolution adopting a resolution amending the consolidated fee schedule to Update Water, Storm Water and Park Impact Fees and to adjust the Water Deposit, Water

Meter Installation and Sign Fees. Council Member Westergard seconded the motion and all voted for the motion through a roll call vote.

**CONSIDERATION TO APPROVE THE BETTERMENT AGREEMENT WITH UDOT FOR LANDSCAPING IMPROVEMENTS ON THE 2600 SOUTH INTERCHANGE**

The City Administrator continued with the floor and reviewed the following information with the Council:

“In the last meeting I presented a cost of \$181,000 for landscaping at the 2600 south interchange after offsetting the project costs by the \$50,000 we received from the UDOT land purchase. This was up to \$70,000 from the original estimates of \$111,000 UDOT has been able to reduce the costs by \$9,000. The new amount is \$172,177 after applying the \$50,000 of the UDOT land purchase to the project. The total amount of the project to the City is \$222,176.22 as given to the Council.”

After the review by the City Administrator, Council Member Sheldon made a motion to approve the Betterment Agreement with UDOT for landscaping improvements on the 2600 S. Interchange. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

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**CONSIDERATION TO APPROVE A MAINTENANCE AGREEMENT WITH UDOT  
FOR THE LANDSCAPE IMPROVEMENTS ON THE 2600 SOUTH INTERCHANGE**

The City Administrator continued with the floor and went over the following information with the City Council:

“Given to the Council is a Landscape Maintenance Agreement with UDOT for the maintenance of the landscaping on the 2600 South interchange between 800 West and Wildcat Way. The agreement states that we do not need a permit from UDOT to maintain the area and the only time we need a permit is if we are working within the clear zone. They will issue us an annual permit for any work in the clear zone.”

Following the information given by the City Administrator, Council Member Evans made a motion to approve the Landscaping Maintenance Agreement with UDOT for the maintenance of the landscaping on the 2600 South interchange between 800 West and Wildcat Way. Council Member Sheldon seconded the motion and all voted for the motion through a roll call vote.

**MEMORIAL DAY UPDATE**

The Mayor noted he had been in contact with an individual that has volunteered to put together a men’s choir and a children’s choir for the Memorial Day celebration.

He also said the bagpipe band had been secured.

He said people had been contacted in regards to the climbing wall.

The Police Chief said they were a go on the flag ceremony.

Council Member Sheldon confirmed he was still going to be in charge of the race.

The Mayor said he is working on getting fire trucks to hang a large flag from.

This concluded his report.

**FRISBEE GOLF UPDATE**

The Mayor gave an update on the Frisbee golf course. He said the course had been set up and there were a few changes from the original design.

He said Eagle Scout Chris Stahle has taken this as a project.

He said they are working on sponsors for each \$100 for 1 year, \$250 for 3 years.

The chain baskets have been ordered and should be here next week.



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He said he would like to do a large kickoff and invite the community and possibly have commemorative Frisbees to give out.

He also mentioned Centerville City is also going to be putting in a Frisbee golf course in one of their city parks.

**SAFETY AND ACCOUNTABILITY REPORT**

The City Administer went over the following with the City Council:

“Given to the Council is a copy of the Executive Safety Accountability Report for February 2015. We had no major incidents during the month. We had a minor incident where Officer Osoro was assaulted by a man in the park. Injuries were not recordable and no treatment was needed.

“The departments are working well in performing their department safety audits and having their department safety meetings. I feel the departments are doing a good job in having their safety training during the month.”

This concluded his report.

**OPEN SESSION**

The Mayor then opened the meeting to items from those present that they would like to bring before the City Council.

Council Member Dayley mentioned she would like to try to encourage people in the area to provide places for the nesting of owls and kestrel hawks to help with the vole problem within parts of the city.

She also noted as she attended the citizens police academy she heard the Bountiful Police department has a way to track their police cars and she thought it would be nice to be able to do the same for the Woods Cross City police department. The Chief said he would look into the matter.

Council Member Westergard said he had gone with the Youth City Council to their leadership training at Utah State University. He said the Youth City Council represented the city well and everyone had a great time and learned a lot a great things.

Council Member Evans said that Jim Young’s family had expressed their appreciation for the city’s support during their difficult loss.

There were no further comments for the open session and the Mayor then closed the open session.

**WASATCH INTEGRATED WASTE DISTRICT REPORT**

The Mayor noted Council Member Hill was excused from tonight's meeting so there would be a report on the Wasatch Integrated Waste District at the next meeting.

**MOSQUITO ABATEMENT REPORT**

Council Member Evans noted she had been out of town and was not able to attend the last Mosquito Abatement meeting.

**SOUTH DAVIS METRO FIRE AGENCY REPORT**

The Mayor reported that a new ambulance had been delivered last week to the fire district and it would be stationed at the Foxboro station.

He also noted the district would be purchasing two new fire engines this year and they were looking forward to that.

This concluded his report.

**SOUTH DAVIS RECREATION DISTRICT REPORT**

The Mayor noted at his last meeting they said memberships are staying level. There was a decline in new memberships as a result of new gyms opening in the area.

There are approximately 3200 participants in the Jr. Jazz program and that it is the largest basketball program in the country.

**MAYOR'S REPORT**

The Mayor said he had nothing further to report.

**CITY ADMINISTRATOR'S REPORT**

**1. Pickle Ball Courts**

"Given to the Council is an email we received from Bill Sorensen requesting we look at putting pickle ball courts where the current tennis courts are located in Hogan Park. I feel this would be a great opportunity to utilize the RAP Tax, particularly as we are looking at having to ramp up our efforts next year to get it approved for another eight years of funding. I suggest we take a small part of our Strategic Planning Session and talk about the RAP Tax and possible future projects we could put out to the public as we work to get it re-authorized.

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**2. Development Agreement for the 2600 South Smith's Project**

"We have met with John Thackery regarding the project and are starting to work on a development agreement for the project. We will keep you apprised as we work through the agreement and when we get to the point we have a draft of the major points we will get it out to you for your review.

**3. Strategic Planning Session**

"Just a reminder of the Strategic Planning Session on Saturday, March 21, starting at 8:00 A.M. in the multi-purpose room.

**4. Questar Gas**

Questar Gas will be replacing lines on 800 West from now until Memorial Day.

Council Westergard asked if there was still going to be a Davis Unified Economic Development meeting and the City Administrator said yes there would be.

It was also noted groups that are wanting to do service projects along the Legacy Highway trails should coordinate with the Public Works Director

**ADJOURNMENT**

There being no further business before the City Council, Council Member Evans made a motion to adjourn the meeting at 8:40 P.M. with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

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Rick Earnshaw, Mayor

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Jessica Sims, City Recorder